

Daniel J. Hayes
Jake A. Schmidt
Kevin A. Wisniewski
Michael D. Foster
U.S. SECURITIES & EXCHANGE
COMMISSION
175 West Jackson Blvd., Suite 1450
Chicago, Illinois 60604
Telephone: (312) 353-3368
Facsimile: (312) 353-7398

*Attorneys for Plaintiff United States
Securities and Exchange Commission*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: VOLKSWAGEN “CLEAN
DIESEL” MARKETING, SALES
PRACTICES, AND PRODUCTS LIABILITY
LITIGATION

MDL No. 2672 CRB (JSC)

**STIPULATION AND ~~PROPOSED~~
SCHEDULING ORDER**

Judge: Hon. Charles R. Breyer

This Document Relates To:

U.S. S.E.C. v. Volkswagen AG,
No. 3:19-cv-1391-CRB

Plaintiff United States Securities and Exchange Commission (“SEC”), Defendants Volkswagen AG, Volkswagen Group of American Finance, LLC, and VW Credit, Inc. (“VW”), and Defendant Martin Winterkorn (collectively, the “Parties”), through their undersigned counsel, hereby agree and stipulate as follows:

WHEREAS, at the August 16, 2019 status hearing in this matter, the Court instructed the Parties to engage in settlement discussions to attempt resolve the SEC’s claims;

1 WHEREAS, following the August 16, 2019 status conference, the Parties were actively
2 engaged in lengthy settlement discussions, which included in person and telephonic mediation sessions
3 with Magistrate Judge Jacqueline Scott Corley;

4 WHEREAS, despite the Parties' good faith efforts and the assistance of Judge Corley, the
5 Parties are unable to reach a settlement at this time; and

6 WHEREAS, the Parties request that they be permitted to proceed with the litigation of this
7 case and that the proposed scheduling order be adopted.

8 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties, as
9 follows:

ACTION	Due Dates
Defendants' Motions to Dismiss and/or Responsive Pleadings:	April 10, 2020
Plaintiff's Opposition to any Motions to Dismiss:	May 28, 2020
Defendants' Reply in Support of Motions to Dismiss:	June 26, 2020
Fact Discovery Cutoff:	February 11, 2022
Expert Reports Exchanged:	May 9, 2022
Rebuttal Expert Reports Exchanged:	July 15, 2022
Expert Discovery Cutoff:	August 19, 2022
Dispositive Motions & Opening Briefs:	October 28, 2022
Oppositions to Dispositive Motions:	December 12, 2022
Replies in Support of Dispositive Motions:	January 13, 2023
Pretrial Conference:	To be set by Court at later date
Trial:	To be set by Court at later date

1 This Stipulation may be executed in counterparts, and electronic or facsimile signatures shall
2 be deemed equivalent to original signatures.

3 IT IS SO STIPULATED.

4
5 Dated: March 9, 2020

Respectfully submitted,

6
7 /s/Daniel J. Hayes

Daniel J. Hayes

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Michael D. Foster

U.S. SECURITIES & EXCHANGE
COMMISSION

175 West Jackson Blvd., Suite 1450

Chicago, Illinois 60604

Telephone: (312) 353-3368

Facsimile: (312) 353-7398

Attorneys for Plaintiff

U.S. Securities and Exchange Commission

15
16 /s/ Robert J. Giuffra, Jr.

Robert J. Giuffra, Jr. (*admitted pro hac vice*)

Sharon L. Nelles (*admitted pro hac vice*)

Suhana S. Han (*admitted pro hac vice*)

Matthew A. Schwartz (*admitted pro hac vice*)

SULLIVAN & CROMWELL LLP

125 Broad Street

New York, New York 10004

Telephone: (212) 558-4000

Facsimile: (212) 558-3588

Attorneys for Defendants Volkswagen AG,

Volkswagen Group of America Finance, LLC

and VW Credit, Inc.

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/s/Gregory P. Joseph
Gregory P. Joseph (*admitted pro hac vice*)
Peter R. Jerdee (*admitted pro hac vice*)
Christopher J. Stanley (*admitted pro hac vice*)
JOSEPH HAGE AARONSON LLC
485 Lexington Avenue, 30th Floor
New York, NY 10017
Telephone: (212) 407-1222
Facsimile: (212) 407-1269

Attorneys for Defendant Martin Winterkorn

* * *

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: March 10, 2020



CHARLES R. BREYER
United States District Judge